JAN 2 1 2009 DE JAN 2 1 2009 DE

Patent Case No. 20703Y

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

if Affin

In re application of: Robert K. Evans

Serial No.: 09/888,304

Filed: June 22, 2001

Group Art Unit: 1633

Examiner: Wehbe, Anne Marie Sabrina

For: POLYNUCLEOTIDE VACCINE ADJUVANTS AND FORMULATIONS CONTAINING CATIONIC SURFACTANTS,

PETITION FOR EXTENSION OF TIME UNDER § 1.136(a)

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

AND METHODS OF USE

Applicant(s) hereby petition(s) to the Commissioner for Patents for an extension of the shortened statutory period for replying to the outstanding Office Action dated <u>09/12/2008</u> in the above-identified application. A response to said Action is (is not) attached hereto.

A response to said Action is (is not) attached hereto.

Please charge the following fee to Deposit Account No. 13-2755:

\$130 -- First Month Extension

\$490 -- Second Month Extension

\$1110 -- Third Month Extension

\$1730-- Fourth Month Extension

\$2350 -- Fifth Month Extension

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 13-2755.

Respectfully,

I hereby certify that this correspondence is being By: Henry P. Wu deposited with the United States Postal Service is first class mail in an envelope addregation Attorney _____ For Applicant(s) Commissioner for Patents, P.O. Bo. Reg. No. 44,412 Alexandria, Virginia 22313-1450, on the uate MERCK & CO., INC. appearing below. Patent Dept., RY60-30 MERCK & CO., INC., P.O. Box 2000 Rahway, N.J. 07065-0907 09888304 01/21/2009 SSESHET 00000031 132755 (732) 594-<u>5312</u>

01-FC:1251 130.00 DA

Date: January 12, 2009